

---

---

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

---

---

DANNA HORN,

Plaintiff,

*versus*

ALLSTATE TEXAS LLOYDS and  
DONNIE JOE MARCANTEL,

Defendants.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. 1:21-CV-00512

**ORDER ADOPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

On October 15, 2021, the court referred this case to the Honorable Zack Hawthorn, United States Magistrate Judge, for pretrial management. Doc. No. 6. On April 13, 2022, Judge Hawthorn ordered Defendant Allstate Texas Lloyds to amend its Notice of Removal within ten days to “distinctly and affirmatively allege the citizenship of all parties to this lawsuit.” Doc. No. 17. On April 27, 2022, after the ten-day deadline had passed, Judge Hawthorn recommended remanding the case *sua sponte* to the 128th Judicial District Court of Orange County, Texas because Allstate had not met its burden of proving federal jurisdiction. Doc. No. 20. No parties have filed objections to the Report and Recommendation, and the time for doing so has passed. Nevertheless, the court has reviewed Judge Hawthorn’s Report and Recommendation and concludes that its factual findings and statements of law are correct.

It is therefore **ORDERED** that the Report and Recommendation of the Magistrate Judge (Doc. No. 20) is **ADOPTED**. This case is **REMANDED** to the 128th Judicial District Court of Orange County, Texas for lack of subject matter jurisdiction.

**Signed this date**

**Jun 21, 2022**

A handwritten signature in cursive script, reading "Marcia A. Crone".

---

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE